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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

The Honorable Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, DC. 20054

Re: Ex Parte Presentation
CC Docket No. 92-297 -- 28 GHz Band

BOEING

Dear Mr. Chairman:

The Boeing Company is concerned about the proposals advanced in CC Docket No. 92-297 that would allocate spectrum in the 28 GHz band to Local Multipoint Distribution Services to the detriment of the satellite services currently authorized to operate in this band.

The Negotiated Rulemaking Committee, which the Commission established to consider whether and how the 28 GHz band could be shared, recently concluded its deliberations without agreement on a means of co-frequency sharing between the two services. The Boeing Company urges the Commission -- as it reviews the Committee's report and considers the issuance of a further notice of proposed rulemaking -- to be mindful of the long term importance of the 28 GHz band to satellite services.

The 28 GHz band is particularly well-suited for satellite systems because it is allocated to satellite services on an international basis. And, while global satellite systems have obvious applications in public communications, they offer advantages for aviation, space and national defense that cannot be duplicated elsewhere. In the case of aviation, global satellite systems will make possible new and improved communications and navigation systems. These new satellite-based systems -- which will support broadband communications -- will improve aviation safety and air traffic control. They will also enhance passenger satisfaction -- entertainment and efficiency -- and stimulate the demand for air travel services. The United States and its aerospace industry only stand to benefit from such increased demand.

Continued availability of the 28 GHz band for satellite-based services will also be important for the United States' efforts in space. As prime contractor for International Space Station Alpha and as a major provider of space systems and technologies, The Boeing Company expects satellite-based broadband communications to become increasingly important. It was in recognition of this fact that The Boeing Company invested heavily in developing the phased array ground terminals being used in conjunction with NASA's $1 billion Advanced Communications Technology Satellite ("ACTS") service, which the Commission discussed in the First Report and Order in this proceeding. New satellite-based communications programs such as ACTS will create, and position the United States to exploit, a market exceeding $100 billion for satellites, ground stations and launch services over the next decade.

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List A B C D E

Satellite-based communications will also play a critical role in our national defense. As the budget for defense continues to decline, the U.S. military will increasingly rely on narrowband and broadband communications satellites for command, control and communications. The military, however, will only be able to do so if these satellites are U.S.-owned and -operated. It is therefore important that the United States maintain its leadership in the design, launch and control of global satellite systems. Without these systems, the United States will find it difficult to contain costs and ensure that the military's global communications needs are satisfied.

Finally, satellite-based services have an important role to play in public communications. As the Commission is well aware, there are many markets and many applications where satellites --and not fiber-- will be key to achieving a Global Information Infrastructure. If the Administration's vision of an interconnected world community is to become a reality, global satellite-based communications systems must be part of that telecommunications infrastructure.

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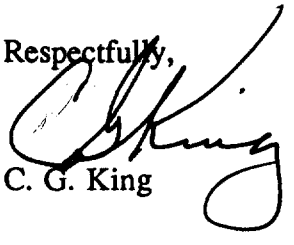
The Boeing Company urges the Commission to follow the general principle of avoiding authorization of incompatible terrestrial services in bands internationally allocated to satellite service. The Europeans have proposed LMDS type services at 40.5 to 42.5 GHz. This is consistent with the commission's recent "Above 40 GHz" notice of proposed rule making. Authorizing LMDS at the 41 GHz band would create a "Win-Win" solution where both services — LMDS and FSS — can coexist. Authorizing LMDS in the same band as the Europeans would also help create global equipment markets. Given the importance of satellite-based services to the economic health and security of the United States, the Commission should leave the current allocation of the 28 GHz band unchanged.

Respectfully,



C. G. King

cc: William E. Caton